

**United States District Court**  
*Northern District of Oklahoma*

STATE OF OKLAHOMA, ex rel., et al.  
PLAINTIFF

**y.**

TYSON FOODS, INC. et al.

## DEFENDANTS AND THIRD-PARTY PLAINTIFFS

## THIRD PARTY SUMMONS IN A CIVIL ACTION

y.

City of Tahlequah, et al.

### THIRD PARTY DEFENDANTS

**CASE NUMBER: 05-CV-0329-JOE-SAJ**

To:

**Mary Lansberg Service agent for  
River Farms of Tahlequah LLC  
2924 Drakeston Ave.,  
Oklahoma City OK 73120**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

**PLAINTIFF ATTORNEY**

Douglas Allen Wilson  
Melvin David Riggs  
Richard T. Garren  
Sharon K. Weaver  
Riggs Abney Neal Turpen Orbison & Lewis  
502 West 6<sup>th</sup> Street  
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD  
PARTY PLAINTIFFS  
ATTORNEYS:**

A. Scott McDaniel  
Joyce, Paul & McDaniel PLLC  
1717 South Boulder, Suite 200  
Tulsa, OK 74119  
For Peterson Farms

Robert W. George  
Kutack Rock LLP  
The Three Sisters Building  
214 West Dickson Street  
Fayetteville, AR 72701-5221  
For Tyson Foods, Inc.

R. Thomas Lay  
Kerr, Irvine, Rhodes & Ables  
201 Robert S. Kerr Ave., Suite 600  
Oklahoma City, OK 73102  
For Willow Brook Foods, Inc.

Robert P. Redemann  
Lawrence W. Zeringue  
David C. Senger  
Perrine, McGivern, Redemann, Reid,  
Berry & Taylor, PLLC  
P. O. Box 1710  
Tulsa, OK 74101-1710  
For Cal-Maine Foods, Inc.

George W. Owens  
Randall E. Rose  
The Owens Law Firm, P.C.  
234 West 13<sup>th</sup> Street  
Tulsa, OK 74119  
For George's Inc.

John R. Elrod  
Vicki Bronson  
Conner & Winters, P.C.  
100 West Center Street, Suite 200  
Fayetteville, AR 72701  
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date \_\_\_\_\_

(By) DEPUTY CLERK

RETURN OF SERVICE	
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>3/24/2006</u>
NAME OF SERVER (PRINT) <u>Elizabeth Trotta</u>	TITLE <u>Paralegal</u>
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the third-party defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input checked="" type="checkbox"/> Other (specify): <u>certified mail, restricted delivery</u>	
STATEMENT OF SERVICE FEES	
TRAVEL	SERVICES
TOTAL	
DECLARATION OF SERVER	
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>3/30/2006</u> <u>Elizabeth Trotta</u>            Date Signature of Server</p> <p><u>1717 S. Boulder, Ste 200, Tulsa OK 74119</u>            Address of Server</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	Postal Service™ CERTIFIED MAIL™ RECEIPT (Certified Mail Only; No Insurance Coverage Provided) For more information visit our website at www.usps.com®
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <u>Mary Lansberg</u> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) _____ C. Date of Delivery <u>3/24/06</u> D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: _____	OFFICIAL USE Postage \$ <u>6.15</u> Certified Fee <u>2.40</u> Receipt Fee (not Required) <u>1.85</u> Delivery Fee (not Required) <u>3.70</u> Postage & Fees \$ <u>14.10</u> DOWNTOWN STATION 74103 MAR 16 2006 USPS
1. Article Addressed to: <u>Mary Lansberg</u> <u>Agent of T</u> <u>2924</u> <u>Oklahoma City, OK 73120</u>	4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes	
2. Article Number (Transfer from service label) <u>7006 3110 0002 7876 1048</u>	3. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes	
3. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes		